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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/966,912      09/28/2001      Michael J. Weiland      7628      5708

7590      12/19/2003

EXAMINER

Patent & Licensing Department  
ONDEO Nalco Company  
ONDEO Nalco Center  
1601 W. Diehl Road  
Naperville, IL 60563-1198

ART UNIT      PAPER NUMBER

DATE MAILED: 12/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notification of Non-Compliance With 37 CFR 1.192(c)</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/966,912	WEILAND ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Albert J. Gagliardi	2878	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

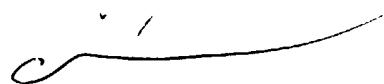
The Appeal Brief filed on 21 August 2003 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three TIME PERIODS: (1) ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer; (2) TWO MONTHS from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.

1.  The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2.  The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3.  At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4.  The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5.  The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6.  A single ground of rejection has been applied to two or more claims in this application, and
  - (a)  the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - (b)  the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7.  The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8.  The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9.  Other (including any explanation in support of the above items):

Regarding the Summary of the Invention, the examiner notes that generalized reference to the specification is insufficient to allow the Board to quickly determine where the claimed subject matter is described in the specification. Specific page and line numbers for each limitation should be identified.

Regarding the Status of the Amendments, the examiner notes that no amendments after final rejection have been received or entered. The examiner notes that a response identified as a Response under 37 C.F.R. 1.111 (which was not considered by the Office as a Response after Final) was received on 23 June 2003. The response, even though not considered, did not contain any amendments. The examiner further notes that if the response had been considered, it would not have placed the application in condition for allowance.



Albert J. Gagliardi  
Primary Examiner  
Art Unit: 2878